

BOARD OF HEALTH

Minutes

April 17th, 2008

Present: Sulsky, Ahlfeld, Gilbert, Leahy-Pile, Weiner

Staff: Bodhi, Bokina, Drake

Other: Brian Winner, Town Counsel, Maureen O'Leary, UMass Environmental Health & Safety, Larry Shaffer, Town Manager, Stephen Nagy, Don Todrin, representing Eric Burt Trustee of Harmony Realty Trust, Shays Street neighborhood residents Simon Keochakian, Gregory Keochakian, Avril L.DeLaCretaz, Bill Cray, Martha Keosly, Martin Kelly and Jeffrey Bohne

Meeting Opened at 8:00 pm.

I. Review & Receive

A) Amended Meeting Minutes from February 13th, 2008

B) Meeting Minutes from March 20th, 2008 – Accepted as written

C) The Board received three correspondences with regards to the rDNA regulations

1) E-mail from Diana Stein, Mt. Holyoke

2) E-mail from Joel Bard, Town Counsel – April 16th, 2008

3) E-mail- Sam Lipson, Director of Environmental Health of the Public Health
Cambridge, MA

II. Old Business

A) rDNA Regs

The Board reviewed input received including input from the public hearing. Changes were made including a permitting cost of up to \$4,000. The Board authorized Ms. Bodhi to either confirm or lower this amount. The regulations were passed unanimously.

B) 28 Shays Street – Appeal for relief from March 18th, 2008 Order to Correct Sanitary Code Violation of 105 CMR 410.602(A)

Ms. Bokina reported on the steps taken by the health agent on 28 Shays Street property issues starting from the condemnation on November 1st, 2007 to the present. The deadline to meet the order has not been met.

The Board listened to Mr. Don Todrin's opposing arguments to the order on behalf of Mr. Eric Burt, Trustee of Harmony Realty Trust.

The Board listened to the testimony of the neighbors, of 28 Shays Street neighborhood residents.

The Board asked that Inspection Services be asked to board up the house because it has been condemned. No one should be inside unless building permits have been taken out and they are working to bring the house up to code.

After listening to testimony and reviewing evidence the Board voted unanimously to deny the appeal for relief from the March 18th, 2008 order to correct State Sanitary Code, 105 CMR 410.602 (A), which requires a property owner to maintain his or her property “in a clean and sanitary condition and free from garbage, rubbish or other refuse.” The Board deliberated on next steps and in what court system to file the the complaint of non-compliance. The Board voted unanimously to pursue the filing of a complaint in the Housing Court.

The Board authorized Ms. Bodhi with the assistance of Town Counsel to write the decision letter to be sent to Mr. Eric Burt within seven days.

IV. Schedule Next BOH Meeting/Agenda Closing Date

A) Next meeting. May 15th, 2008, 7:00 pm

1. Schedule agenda closing date: May 7th, 2008

Meeting Adjourned: 9: 40 pm

Epi Bodhi, Health Director

Approved: May 28, 2008